IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Shanti Devi. Versus Banshi Dass.

S.B. Criminal Misc. Petition No. 396/2006
against the order dated 28-1-2006 passed
by the Additional Sessions Judge No.1,
Chittorgarh, in Criminal Revision No.30/2005.

...

Date of Order: July 07. 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Sudhir Sarupuria, for the petitioner.

BY THE COURT:

Heard learned counsel for the petitioner. Perused the order impugned passed by the Additional Sessions Judge No.1, Chittorgarh (for short, "the Revisional Court" hereinafter) dated 28-1-2006 passed in Criminal Revision No.30/2005, as also the order dated 3-5-2005 passed by the Additional Chief Judicial Magistrate, Kapasan (for short, "the trial Court" hereinafter) in Criminal Case No. 328/2002, whereby the application filed by the petitioner seeking enhanced maintenance under Section 127 Cr.P.C. was allowed and the maintenance of Rs.200/- per month awarded on an application under Section 125 Cr.P.C. on 1-17-1991 was enhanced to Rs.900/- per month from the date of the order i.e. 3-5-2005.

A reasonable amount of maintenance has already been awarded by the trial Court and affirmed by the Revisional Court. The petitioner is getting enhanced maintenance @ Rs.900/- per month. The maintenance has reasonably been enhanced from Rs.200/- to Rs.900/- per month. I do not find any error, illegality or perversity in the orders impugned. It cannot be said that the impugned orders would result in manifest injustice or abuse of process of any Court.

The criminal miscellaneous petition is dismissed.

(H.R. PANWAR), J.

mcs